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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,386	02/01/2005	Johannes Otto Voorman	NL 020727	4140

24737 7590 02/28/2007  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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LAMB, CHRISTOPHER RAY

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/523,386	Applicant(s) VOORMAN ET AL.	
	Examiner Christopher R. Lamb	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8 and 11-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,8 and 11-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claim 4 is withdrawn in view of the newly discovered reference(s) to Ueno et al. (US 6,690,232). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 5, 8, and 11-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al. (US 5,258,968; previously cited) in view of Ueno et al. (US 6,690,232).

Regarding claim 1:

Matsuda discloses:

An optical disc system (Fig. 18) comprising:

at least one photo detector for detecting at least a part of said optical disk and in response generating detection signals (Fig. 18: 1a-1d);

at least one variable gain amplifier for amplifying detection signals and forming amplified detection signals (Fig. 18: 321-324);

at least one slicer for slicing the amplified detection signals (Fig. 18: 325-328);

a feedback path between said at least one slicer and said at least one variable gain amplifier for controlling said at least one variable gain amplifier non-linearly (the path is visible in Fig. 18; the non-linearity is disclosed in column 14, lines 10-40).

Matsuda does not disclose:

"at least one generator" in said feedback path, "wherein said at least one generator comprises two converters interconnected with two connections, and at least one capacitor connected between the two connections."

Ueno discloses at least one generator in the feedback path of a variable gain amplifier (Fig. 1: 12), wherein said at least one generator comprises two converters interconnected with two connections (Fig. 5: 52 and 51; column 4, lines 40-60), and at least one capacitor connected between the two connections (Fig. 5: 53).

Ueno discloses that this generator suppresses lower limit frequency fluctuation and realizes good offset canceling (column 1, lines 33-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include in Matsuda wherein there is at least one generator in said feedback path, and wherein said at least one generator comprises two converters interconnected with two connections, and at least one capacitor connected between the two connections, as taught by Ueno.

The motivation would have been to realize good offset canceling and suppress lower limit frequency fluctuation.

Regarding claim 4:

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Most elements of this claim have already been discussed with regards to claim 1. Additionally, Matsuda in view of Ueno discloses wherein said at least one photo detector comprises at least four subdetectors, with said optical disk system comprising per subdetector a variable gain amplifier, a slicer and two converters with a capacitor (Matsuda alone discloses the four subdetectors, visible in Fig. 18, and a variable gain amplifier and slicer for each. Since there are four feedback loops, there would also need to be four generators as taught by Ueno, each included two converters with a capacitor).

Regarding claim 5:

All elements positively recited have already been identified with regards to earlier rejections. No further elaboration is necessary.

Regarding claim 8:

This is a method claim corresponding to earlier apparatus claims and is met when the apparatus operates.

Regarding claim 11:

All elements positively recited have already been identified with regards to earlier rejections. No further elaboration is necessary.

Regarding claim 12:

In Matsuda in view of Ueno said two converters are configured to convert voltages into currents (Ueno: column 4, lines 40-60).

Regarding claims 13-24:

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All elements positively recited have already been identified with regards to earlier rejections. No further elaboration is necessary.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 4, 5, 8, and 11-24 have been considered but are moot in view of the new ground(s) of rejection.

Also, the Examiner notes that Applicant's arguments (page 15) state that claims 1 and 8 have been amended solely for better conformance to U.S. practice and not to address issues of patentability. This does not appear to be the case, as Applicant adds new claim limitations and then later cites these limitations (page 17) as reasons why the invention should be allowable. However, the Examiner notes this only to make the record clear, as in any case these arguments are moot in view of the new grounds of rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rees et al. (US 4,998,234) discussed why canceling offsets is important (and is thus directly relevant to the motivation of the 103 rejection above).

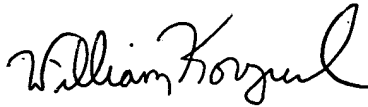
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Lamb whose telephone number is (572) 272-5264. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CRL 2/21/07

  
WILLIAM KORZUCH  
SUPERVISORY PATENT EXAMINER  
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